

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
MONDAY, OCTOBER 20, 2003**

SPECIAL ORDERS OF BUSINESS

ITEM-S400: Jewel Hooper Day.

COUNCILMEMBER LEWIS' RECOMMENDATION:

Adopt the following resolution:

(R-2004-411)

Commending Jewell D. Hooper for her outstanding dedication and commitment in assisting our senior citizens in communities of the Fourth Council District;

Proclaiming October 20, 2003 to be "Jewell D. Hooper Day" in the City of San Diego.

ITEM-S401: Fred Zuckerman Day.

COUNCILMEMBER MADAFFER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-407)

Proclaiming October 20, 2003 to be "Fred Zuckerman Day" in the City of San Diego, in honor of his incredible dedication and commitment to improving the quality of life enjoyed by all San Diegans, and for helping to keep San Diego as America's finest city.

SPECIAL ORDERS OF BUSINESS (Continued)

ITEM-S402: Lead Poison Prevention Awareness Week.

COUNCILMEMBERS FRYE'S AND INZUNZA'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-423)

Proclaiming the week of October 20, 2003 to be "Lead Poison Prevention Awareness Week" in the City of San Diego, and commending the participants of the City's Lead Safe Neighborhoods Program in working towards the goal of eliminating lead hazards from the housing in San Diego.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-S403: Margaret Watson Day.

COUNCILMEMBER LEWIS' RECOMMENDATION:

Adopt the following resolution:

(R-2004-430)

Commending Margaret Watson for her exceptional service and dedication, and the tremendous work she has given to the City of San Diego;

Proclaiming October 20, 2003 to be "Margaret Watson Day" in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:

* ITEM-S404: Adjournment of the October 28, 2003 City Council Meeting.

(See memorandum from Mayor Murphy dated 10/15/2003.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-438)

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period January 1, 2003 through December 31, 2003, to cancel the regularly scheduled City Council Meeting of Tuesday, October 28, 2003.

* ITEM-S405: Amendment to Declaration of Restrictions for South San Diego Industrial Park, Unit No. 1.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-435)

Authorizing the City Manager to execute the "Amendment to Declaration of Restrictions, South San Diego Industrial Park, Unit 1."

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:

* ITEM-S405: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

READ has received a request from the owners of five of the parcels in the South San Diego Industrial Park, Unit No. 1 ("Industrial Park") to amend the Declaration of Restrictions recorded on September 19, 1978, in the Office of the Recorder of San Diego County. The six-lot Industrial Park is located at Beyer Boulevard and Del Sol Boulevard in Otay Mesa and was developed by the City in the late 1970's.

The Declaration of Restrictions contains many desirable provisions but also contains an outmoded use restriction that limits the properties to employment-intensive manufacturing or assembly uses only. Instead of having the desired effect, the use restriction has retarded development of the area. Parcel 1 has been vacant for 25 years; Parcel 2 is used in part for a qualifying use (having received a variance for the use); Parcel 3 was sold to the federal government for use as a post office transfer facility and was exempted from the Declaration by City Council action on July 14, 1997; Parcel 4 is used for manufacturing; Parcel 5 is developed with a 45,000 square foot building that has been vacant for more than three years; and Parcel 6 is owned by the City and used as a water retention basin. The private owners in the Industrial Park have formed a committee, as authorized and directed by the Declaration and, in that capacity, have unanimously voted to amend the Declaration to eliminate the use restriction.

The amendment eliminates the current use restriction and will allow uses as permitted under the zoning presently in effect in the area. Present zoning in the area allows for a mix of light industrial and office uses with limited commercial use.

FISCAL IMPACT:

None

Herring/Griffith/CWG

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:

* ITEM-S406: Appointments to the Mission Bay Park Committee.

(See memorandum from Mayor Murphy dated 10/8/2003, with resumes attached.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-419)

Council confirmation of the following appointments by the Mayor to serve as members of the Mission Bay Park Committee, for terms to expire as indicated:

<u>APPOINTMENTS</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Kevin Faulconer, Chair	Park and Recreation Board Member	March 1, 2005
Robert Ottillie	At Large	March 1, 2005
Mike Pallamary	At Large	March 1, 2005
Karl Jaedtke	Council District 2 Representative	March 1, 2005
Judith Swink	Council District 2 Representative	March 1, 2005
Rick Bussell	Council District 6 Representative	March 1, 2005
Ryan Levinson	Council District 6 Representative	March 1, 2005
Wayne Blum	Lessee Hotel Representative	March 1, 2004
Ted Jardine	Lessee Other than a Hotel	March 1, 2004

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:

* ITEM-S406: (Continued)

Donald Peterson	Stakeholder – OMBAC	March 1, 2004
Richard Miller	Environmental Organization Sierra Club	March 1, 2004
Chris Rink	Clairemont Mesa Planning Group	March 1, 2004
Margaret Pamela Glover	Mission Beach Precise Planning Board	March 1, 2004
Mindy Pellessier	Ocean Beach Planning Board	March 1, 2004
Catherine Strohlein	Pacific Beach Community Planning Committee	March 1, 2004

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON RULES, FINANCE, AND INTERGOVERNMENTAL RELATIONS,
ORDINANCE TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING
AND ADOPTION:

ITEM-S407: Consideration and Possible Action to Introduce and Adopt an Ordinance
Submitting to the Voters a Ballot Proposition Relating to Increasing the City's
Transient Occupancy Tax from 10.5% to 13%.

(See City Manager Report CMR-03-202; Report from the City Attorney dated
10/9/2003; memorandums from Lisa Irvine dated 10/9/2003, and Ed Ryan dated
10/8/2003.)

(Continued from the meeting of October 14, 2003, Item S406, at the City
Council's request, for further amendments to the ordinance as requested by
Council.)

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS (Continued)
COMMITTEE ON RULES, FINANCE, AND INTERGOVERNMENTAL RELATIONS,
ORDINANCE TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING
AND ADOPTION: (Continued)

ITEM-S407: (Continued)

TODAY'S ACTION IS:

Introduce and adopt the following ordinance:

(O-2004-44A)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego at the Municipal Election Consolidated with the California State General Election to be held on March 2, 2004 one proposition relating to increasing the City's Transient Occupancy Tax by 2.5%.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S
RECOMMENDATION: On 10/1/2003, RULES voted 3 to 1 to:

- 1) Refer the proposed ordinance to the City Manager for a financial analysis and to the City Attorney for a legal analysis, and for drafting changes as to form and not as to substance.
- 2) Present to City Council on October 13 or 14, 2003.
- 3) Move the allocation to Fire from 1.0 to .75; redistribute the .25 as follows: preparation over three years of a Parks Master Plan as proposed by the Park and Recreation Department Budget Working Group; remainder distributed equally over B, C, and D on page 6; allow funds allocated in Section D to be used to prepare the coastal infrastructure plan.
- 4) Delete the sentence on page 7, top paragraph, beginning with "If the City Council fails to adopt..."
- 5) Provide a five-year opportunity for the Tourism Promotion Review Board to adjust funding minimums outlined on pages 7 and 8 (but not the 2.5 cents level of funding), every five years, on a two-thirds vote, subject to veto but not amendment on a two-thirds vote of the City Council.
- 6) Provide that if there is any successful challenge to the ordinance, we would return to the status quo.
- 7) Ensure that the measure is subject to the existing charter provisions allowing declaration of financial emergency.
- 8) Clarify that maintenance of effort applies to the enumerated equipment and infrastructure pages 4-6, and is not a requirement to escalate overall Police and Fire budgets by the amount of growth in the General Fund.
- 9) Eliminate "debt service for the bond debt for" on page 9.

(Councilmembers Peters, Maienschein, and Madaffer voted yea. Mayor Murphy voted nay. Councilmember Inzunza not present.)

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-S408: Pershing Portal – Additional Funding and Maintenance.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-425)

Authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the Property Owners Adjacent to the Pershing Portal Project;

Amending the Fiscal Year 2004 Capital Improvements Program (CIP) Budget for CIP-39-226.0, Pershing Portal, by increasing the budget amount by \$25,000;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$25,000 from Fund 79502, North Park – Urban Community Fund, to CIP-39-226.0, Pershing Portal;

Authorizing the appropriation and expenditure of an amount not to exceed \$25,000 from CIP-39-226.0, Pershing Portal, for the purpose of providing funds for Project construction and related costs.

CITY MANAGER SUPPORTING INFORMATION:

The North Park Pershing Portal Project (NP4) is a traffic safety, beautification, and historic monument project that will serve as a major entry portal into one of San Diego's oldest neighborhoods. The proposed entry plaza will include decorative paving, landscaping, specialty lighting, as well as dual architectural "posts" commemorating David S. Dryden and his wife. This project will create an entry "portal" to the sixteen 28th Street single-story Craftsman style bungalows and double-story houses designed and built from 1915-1918 by master craftsman David Dryden. NP4 will improve traffic safety by permanently reconfiguring a five "leg" intersection into four. It will replace the temporary barriers currently in place at the end of 28th Street with permanent improvements. It addresses community wide concerns about pedestrian safety, encourages neighborhood enhancements which lead to more livable communities, links schoolchildren to available green spaces, and promotes the understanding and appreciation of the unique historic character of the neighborhood through the establishment of a key marker.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:

* ITEM-S408: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

The Greater North Park Planning Committee (GNPPC) unanimously supported this project in a motion dated 02/20/01. The closure of 28th Street is part of the East Mesa Precise Plan, Balboa Park as adopted by resolution R-281752 (04/13/93).

This action also includes a Memorandum Of Understanding (MOU) between the City and the adjacent property owners to provide for maintenance of the improvements until the associated Maintenance Assessment District (MAD) can take over the maintenance responsibilities.

FISCAL IMPACT:

The total cost of this project is \$235,000. Of this, \$10,000 is available from TransNet Funds, \$135,000 from Fund 3245100 and \$65,000 from Fund 30304. The remainder of \$25,000 necessary for this project is available from Fund 79502, North Park-Urban Community Fund.

Loveland/Belock/PB

Aud. Cert. 2400410.